

# IDENTITY THEFT

KENTUCKY VICTIM KIT



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If you are a victim of identity theft, or you suspect that someone is using your name and personal identification information, this kit is designed to help you through the process of resolving your identity theft case and clearing your name. This kit was specifically developed to provide assistance to Kentuckians who are identity theft victims, as well as individuals in other states who had their personal information fraudulently used in the state of Kentucky.

### **What is Identity Theft?**

Identity theft is a crime. It involves acquiring key pieces of someone's identifying information, such as name, address, date of birth, social security number and mother's maiden name, in order to impersonate them. This information enables the thief to commit numerous forms of fraud which include taking over a victim's financial accounts, opening new bank accounts, applying for loans, credit cards and social security benefits, using existing credit accounts to run up charges, writing bad checks, renting apartments, buying cars and establishing services with utility and phone companies. Thieves will ruin their victim's credit. They will also use their victim's name when committing crimes or driving offenses, resulting in warrants being issued in the victim's name.

### **How does identity theft occur?**

Offenders who commit identity theft may or may not know the victim. The offender may obtain personal information, including information related to financial accounts, from trash bins, mailboxes, stolen wallets or purses, using email or the Internet or from dishonest personnel who work at banks, mortgage firms, social or credit agencies, doctor's offices, collection agencies and other businesses where personal or credit information can be accessed.

### **What do I do if I become a victim?**

Navigating through the system as an identity theft victim can be a lengthy and confusing process. As you contact law enforcement, creditors, and financial institutions, it is important that you keep track of the actions you take and maintain a record of your progress. On page 7 of this kit, you will find a chart to help with your record keeping.

As soon as you become aware that your information has been misused, there are several basic steps you should take that apply to nearly all kinds of identity theft cases. The following are steps that should be taken immediately. When you have completed a step, check it off.

## ☐ Report the incident to law enforcement

A person who believes they are a victim of Identity Theft is encouraged to promptly report those facts to a law enforcement agency. You should report to the law enforcement agency that has jurisdiction both where the crime occurred and where you live. The address and telephone number for the Commonwealth's Attorney, County Attorney, and the local police department can be found in your local telephone directory. Once a report has been filed, request a copy of the report so that it will be available to send to credit reporting agencies and creditors.

When you file the report, provide as much documentation as possible, including copies of debt collection letters, credit reports, and your notarized ID Theft Affidavit (located at the back of this kit).

Identity Theft is a Class D Felony under KRS 514.160. Theft related to credit or debit cards is a Class A Misdemeanor or Class D Felony under KRS 434.550 – 434.730.

## ☐ Obtain a copy of your credit report

Fraud victims are entitled to a free credit report. A person who believes they are the victim of Identity Theft should obtain a copy of their credit record. Carefully review the entire credit reporting record. Any errors or actions that are suspect or fraudulent should be immediately submitted to ALL of the credit reporting agencies. A list of those agencies is found below.

### **Equifax**

P.O. Box 740241  
Atlanta, GA 30374-0241  
To order your report: 1-800-685-1111  
To report fraud: 1-800-525-6285  
TDD: 800-255-0056

### **TransUnion**

Fraud Victim Assistance  
P.O. Box 6790  
Fullerton, CA 92634-6790  
Email: fvad@transunion.com  
To order your report: 1-800-888-4213  
To report fraud: 1-800-680-7289  
TDD: 877-553-7803

### **Experian** (formerly TRW)

P.O. Box 9532  
Allen, TX 75013  
To order your report: 1-888-EXPERIAN (397-3742)  
To report fraud: 1-888-EXPERIAN (397-3742)  
TDD: 800-972-0322

## ☐ Notify all of the Credit Report Bureaus

- 1) **Report identity theft, and the theft of any credit cards or credit card numbers, to each credit reporting agency. Request that all your accounts be "Flagged with a fraud alert."**  
*Contact information for the agencies is listed at the bottom of page 2.*
- 2) **Submit a written victim statement to be included in your credit report stating:**
  - a) Your identity has been stolen and has been used to apply for credit fraudulently.
  - b) Provide a contact telephone number to verify any credit applications.
  - c) Request all applications for credit be confirmed telephonically to the telephone number you have given, and then have those requests confirmed in writing to your address.
- 2) **Ask each credit reporting bureau to do the following:**
  - a) Inform you of how long the fraud alert will remain posted to your file; and how you can extend the alert, if necessary.  
*Be aware that reporting an identity theft to a credit reporting bureau may not stop an identity thief from opening new fraudulent accounts in your name. Therefore, a victim should request a free copy of their credit report from each credit reporting bureau every few months in order to monitor any new fraudulent activity.*
  - b) Inform you of the names, addresses and telephone numbers of any credit grantor with whom fraudulent accounts have been opened. Request the credit reporting bureau remove inquiries that they have generated due to the fraudulent access.
  - c) Notify all those who requested and received your credit report in the last six months that the information they received, in your credit report, is disputed.

Confirm all of these requests, in writing, to each credit reporting agency notified.

## ☐ Contact all credit card companies, creditors, banks and financial institutions

Contact all credit card companies, creditors, banks and financial institutions where you have accounts that may have been affected or where an account may have been created in your name, without your knowledge.

- 1) Request that those accounts be processed as "Account Closed at Consumer's Request."
- 2) Get replacement cards with new account numbers.
- 3) Stop payments on any checks or withdrawal drafts that are suspect.
- 4) Change any passwords and PIN number on the accounts, including any Automated Teller Machine (ATM) accounts with banks, savings institutions, other financial service entities, credit cards, online entities and merchants.
- 5) Do not use the old password, mother's maiden name, birth date, any portion of your Social Security number, or other easily obtained passwords. Follow up all telephone contacts with a written confirmation.

## ☐ Contact check verification companies

Contact the major check verification companies if you have had checks stolen or bank accounts set up by an identity thief. Inform the verification companies that you are an identity theft victim.

CheckRite 1-800-234-7800  
ChexSystems 1-800-428-9623 (closed checking accounts)  
CrossCheck 1-800-552-1900  
Equifax 1-800-437-5120  
International Check Services 1-800-631-9656  
National Processing Co. (NPC) 1-800-526-5380  
SCAN 1-800-262-7771  
TeleCheck 1-800-710-9898

## ☐ Contact utility and service provider companies

Contact utility and service provider companies such as: the local telephone company, long distance telephone company, cable company, Internet service provider, and electric, power, gas or water providers. Alert each company or service provider of the theft of your identity and inform them that attempts may be made to open new service using your identification information. Request that any new request for service be confirmed with you and provide a telephone number and mailing address. Keep a copy of all of these requests.

## ☐ Contact your local post office

Notify your local U.S. Postal Inspector if you suspect an identity thief has filed a change of your address with the post office or has used the mail to commit fraud. Find out what your address was changed to. Notify the local Postmaster for that address to forward all mail addressed to you to your correct address. You may also need to talk with the mail carrier on the route where fraudulent mail is being sent. Confirm all telephone conversations in writing. To obtain the telephone number of your local post office, call 1-800-275-8777.

The phone numbers for U.S. Postal Inspectors and Post Offices can also be obtained through their website: [www.usps.gov/postalinspectors](http://www.usps.gov/postalinspectors)

## ☐ Contact the Federal Trade Commission

File a report of an identity theft and obtain assistance in restoring credit by contacting the Federal Trade Commission, Consumer Response Center at:

**Consumer Response Center**  
**Federal Trade Commission**  
600 Pennsylvania Avenue, NW, Washington, D.C. 20580  
Toll-free telephone: 1-877-438-4338  
Online: [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft)

The FTC also has an Internet website ([www.consumer.gov/idtheft/info.htm](http://www.consumer.gov/idtheft/info.htm)) with useful Internet links to other federal agencies and non-profit organizations that provide assistance to victims of Identity Theft.

## ☐ Contact the Social Security Administration

Report a misuse or possible theft of your Social Security Number to the Office of the Inspector General of the Social Security Administration:

**Social Security Administration, Fraud Hotline**  
**Office of the Inspector General**  
P.O. Box 17768, Baltimore, MD 21235  
Toll-free telephone: 1-800-269-0271  
Fax: 1-410-597-0018  
Online: [www.ssa.gov/oig/hotline/](http://www.ssa.gov/oig/hotline/)  
EMail: [oig.hotline@ssa.gov](mailto:oig.hotline@ssa.gov)

## ☐ Obtain a copy of your criminal history record

Request a copy of your own Criminal History Record by contacting the Criminal Records Section of the Kentucky State Police at (502) 227-8713 to obtain a "request for review" form and further instructions.

To request your record by mail, send a letter stating that you are requesting a review of your KY criminal history record; provide a copy of a photo ID, such as a driver's license; and provide a notarized signature. There is also a \$10.00 payment due at the time of request that should be made payable to the "KY State Treasurer." Send your request to:

KSP Criminal Identification and Records Branch  
Criminal Records Section  
1250 Louisville Road  
Frankfort, KY 40601

## ☐ Contact the Division of Driver Licensing

At your request, the Department of Transportation's Division of Driver Licensing will place a flag on your driver's license if you are a victim of identity theft (regardless of whether your Kentucky Driver's License has been compromised). Contact the Division of Driver Licensing at:

Kentucky Department of Transportation  
Division of Driver Licensing  
200 Mero Street  
Frankfort, KY 40622  
502-564-6800 x5366

## ☐ Contact the FBI for Internet or online fraud

If the theft of an identity is the result of, or otherwise connected to, an Internet or other online fraud, file an online complaint with the Internet Fraud Complaint Center of the Federal Bureau of Investigation at: [www.ifccfbi.gov](http://www.ifccfbi.gov)

## ☐ Contact the U.S. State Department

All Identity Theft victims, whether they have a passport or not, should contact the U.S. State Department. Victims should request the State Department confirm, in writing to the address you have provided, any application for a passport or changes of address, etc.

Internet/On-line Assistance is available at: [www.travel.state.gov/passport/lost/us/us\\_848.html](http://www.travel.state.gov/passport/lost/us/us_848.html)

## ☐ Contact other federal agencies as necessary

Numerous federal agencies have jurisdiction over specific aspects of identity theft. If you experience a theft related to any of the following categories, contact the agencies directly for help and information or to initiate an investigation.

### **Bank Fraud**

If you're having trouble getting your financial institution to help you resolve your banking-related identity theft problems, including problems with bank-issued credit cards, contact the agency with the appropriate jurisdiction. If you're not sure which of the agencies listed below has jurisdiction over your institution, call your bank or visit: [www.ffiec.gov/enforcement.htm](http://www.ffiec.gov/enforcement.htm)

Federal Deposit Insurance Corporation (FDIC) at 1-800-934-3342. Online: [www.fdic.gov](http://www.fdic.gov)

Federal Reserve System (Fed) at (202) 452-3693. Online: [www.federalreserve.gov](http://www.federalreserve.gov)

National Credit Union Association (NCUA) at (703) 518-6360. Online: [www.ncua.gov](http://www.ncua.gov)

Office of the Comptroller of Currency (OCC) at 1-800-613-6743. Online: [www.occ.treas.gov](http://www.occ.treas.gov)

Office of Thrift Supervision (OTS) at (202) 906-6000. Online: [www.ots.treas.gov](http://www.ots.treas.gov)

### **Bankruptcy Fraud**

If you believe someone has filed for bankruptcy in your name, write to the U.S. Trustee in the region where the bankruptcy was filed. A list of the offices is available online at: [www.usdoj.gov/ust](http://www.usdoj.gov/ust)

### **Investment Fraud**

If you believe that an identity thief has tampered with your securities investments or a brokerage account, immediately report it to your broker or account manager or the U.S. Securities and Exchange Commission (SEC). You can file a complaint with the SEC online at: [www.sec.gov/complaint.shtml](http://www.sec.gov/complaint.shtml)

### **Cellular and Long Distance Phone Fraud**

If you are having trouble getting fraudulent phone charges removed from your account or getting an unauthorized account closed, contact the Federal Communications Commission (FCC) at 1-888-CALL FCC (1-888-225-5322). File a complaint online at: [www.fcc.gov](http://www.fcc.gov)

### **Tax Fraud**

If you believe someone has assumed your identity to file federal Income Tax Returns, or to commit other tax fraud, contact the Internal Revenue Service (IRS) at 1-800-829-0433. Online: [www.treas.gov/irs/ci](http://www.treas.gov/irs/ci)

## Chart Your Course of Action

Use this form to record the steps you've taken to report the fraudulent use of your identity. Keep this list in a safe place for reference.

### Nationwide Consumer Reporting Companies — Report Fraud

Consumer Reporting Company	Phone Number	Date Contacted	Contact Person	Comments
Equifax	1-800-525-6285			
Experian	1-888-EXPERIAN (397-3742)			
TransUnion	1-800-680-7289			

### Banks, Credit Card Issuers and Other Creditors

(Contact each creditor promptly to protect your legal rights.)

Creditor	Address and Phone Number	Date Contacted	Contact Person	Comments

### Law Enforcement Authorities — Report Identity Theft

Agency/ Department	Phone Number	Date Contacted	Contact Person	Report Number	Comments

# Instructions for Completing the ID Theft Affidavit

To make certain that you do not become responsible for the debts incurred by the identity thief, you must provide proof that you didn't create the debt to each of the companies where accounts were opened or used in your name.

A working group composed of credit grantors, consumer advocates and the Federal Trade Commission (FTC) developed this ID Theft Affidavit to help you report information to many companies using just one standard form. Use of this affidavit is optional. While many companies accept this affidavit, others require that you submit more or different forms. Before you send the affidavit, contact each company to find out if they accept it.

You can use this affidavit where a **new account** was opened in your name. The information will enable the companies to investigate the fraud and decide the outcome of your claim. (If someone made unauthorized charges to an **existing account**, call the company to find out what to do.)

This affidavit has two parts:

- **ID Theft Affidavit** is where you report general information about yourself and the theft.
- **Fraudulent Account Statement** is where you describe the fraudulent account(s) opened in your name. Use a separate Fraudulent Account Statement for each company you need to write to.

When you send the affidavit to the companies, attach copies (**NOT** originals) of any supporting documents (e.g., drivers license, police report) you have.

Before submitting your affidavit, review the disputed account(s) with family members or

friends who may have information about the account(s) or access to them.

**Complete this affidavit as soon as possible.** Many creditors ask that you send it within two weeks of receiving it. Delaying could slow the investigation.

**Be as accurate and complete as possible.** You *may* choose not to provide some of the information requested. However, incorrect or incomplete information will slow the process of investigating your claim and absolving the debt. Please print clearly.

When you have finished completing the affidavit, mail a copy to each creditor, bank or company that provided the thief with the unauthorized credit, goods or services you describe. Attach to each affidavit a copy of the Fraudulent Account Statement with information only on accounts opened at the institution receiving the packet, as well as any other supporting documentation you are able to provide.

**Send the appropriate documents to each company by certified mail, return receipt requested**, so you can prove that it was received. The companies will review your claim and send you a written response telling you the outcome of their investigation. **Keep a copy of everything you submit for your records.**

If you cannot complete the affidavit, a legal guardian or someone with power of attorney may complete it for you. Except as noted, the information you provide will be used only by the company to process your affidavit, investigate the events you report and help stop further fraud. If this affidavit is requested in a lawsuit, the company might have to provide it to the requesting party.

Completing this affidavit does not guarantee that the identity thief will be prosecuted or that the debt will be cleared.

## ID Theft Affidavit

### Victim Information

- (1) My full legal name is \_\_\_\_\_  
(First) (Middle) (Last) (Jr., Sr., III)
- (2) (If different from above) When the events described in this affidavit took place, I was known as \_\_\_\_\_  
(First) (Middle) (Last) (Jr., Sr., III)
- (3) My date of birth is \_\_\_\_\_  
(day/month/year)
- (4) My social security number is \_\_\_\_\_
- (5) My driver's license or identification card state and number are \_\_\_\_\_
- (6) My current address is \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
- (7) I have lived at this address since \_\_\_\_\_  
(month/year)
- (8) (If different from above) When the events described in this affidavit took place, my address was \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
- (9) I lived at the address in #8 from \_\_\_\_\_ until \_\_\_\_\_  
(month/year) (month/year)
- (10) My daytime telephone number is (\_\_\_\_) \_\_\_\_\_  
My evening telephone number is (\_\_\_\_) \_\_\_\_\_

## How the Fraud Occurred

### Check all that apply for items 11 - 17:

(11) ☐ I did not authorize anyone to use my name or personal information to seek the money, credit, loans, goods or services described in this report.

(12) ☐ I did not receive any benefit, money, goods or services as a result of the events described in this report.

(13) ☐ My identification documents (for example, credit cards; birth certificate; driver's license; social security card; etc.) were ☐ stolen ☐ lost on or about \_\_\_\_\_.  
(day/month/year)

(14) ☐ To the best of my knowledge and belief, the following person(s) used my information (for example, my name, address, date of birth, existing account numbers, social security number, mother's maiden name, etc.) or identification documents to get money, credit, loans, goods or services without my knowledge or authorization:

\_\_\_\_\_  
Name (if known)

\_\_\_\_\_  
Name (if known)

\_\_\_\_\_  
Address (if known)

\_\_\_\_\_  
Address (if known)

\_\_\_\_\_  
Phone number(s) (if known)

\_\_\_\_\_  
Phone number(s) (if known)

\_\_\_\_\_  
additional information (if known)

\_\_\_\_\_  
additional information (if known)

(15) ☐ I do NOT know who used my information or identification documents to get money, credit, loans, goods or services without my knowledge or authorization.

(16) ☐ Additional comments: (For example, description of the fraud, which documents or information were used or how the identity thief gained access to your information.)

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(Attach additional pages as necessary.)

### Victim's Law Enforcement Actions

(17)(check one) I ☐ am ☐ am not willing to assist in the prosecution of the person(s) who committed this fraud.

(18)(check one) I ☐ am ☐ am not authorizing the release of this information to law enforcement for the purpose of assisting them in the investigation and prosecution of the person(s) who committed this fraud.

(19)(check all that apply) I ☐ have ☐ have not reported the events described in this affidavit to the police or other law enforcement agency. The police ☐ did ☐ did not write a report.  
*In the event you have contacted the police or other law enforcement agency, please complete the following:*

_____ <b>(Agency #1)</b>	_____ (Officer/Agency personnel taking report)
_____ (Date of report)	_____ (Report Number, if any)
_____ (Phone number)	_____ (e-mail address, if any)

_____ <b>(Agency #2)</b>	_____ (Officer/Agency personnel taking report)
_____ (Date of report)	_____ (Report Number, if any)
_____ (Phone number)	_____ (e-mail address, if any)

### Documentation Checklist

Please indicate the supporting documentation you are able to provide to the companies you plan to notify. Attach copies (NOT originals) to the affidavit before sending it to the companies.

(20) ☐ A copy of a valid government-issued photo-identification card (for example, your driver's license, state-issued ID card or your passport). If you are under 16 and don't have a photo-ID, you may submit a copy of your birth certificate or a copy of your official school records showing your enrollment and place of residence.

(21) ☐ Proof of residency during the time the disputed bill occurred, the loan was made or the other event took place (for example, a rental/lease agreement in your name, a copy of a utility bill or a copy of an insurance bill).

(22) ☐ A copy of the report you filed with the police or sheriff's department. If you are unable to obtain a report or report number from the police, please indicate that in Item 19. Some companies only need the report number, not a copy of the report. You may want to check with each company.

**Signature**

I declare under penalty of perjury that the information I have provided in this affidavit is true and correct to the best of my knowledge.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date signed)

**Knowingly submitting false information on this form could subject you to criminal prosecution for perjury.**

\_\_\_\_\_  
(Notary)

*[Check with each company. Creditors sometimes require notarization. If they do not, please have one witness (non-relative) sign below that you completed and signed this affidavit.]*

**Witness:**

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(printed name)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(telephone number)

## Fraudulent Account Statement

### Completing this Statement

- Make as many copies of this page as you need. **Complete a separate page for each company you're notifying and only send it to that company.** Include a copy of your signed affidavit.
- List only the account(s) you're disputing with the company receiving this form. **See the example below.**
- If a collection agency sent you a statement, letter or notice about the fraudulent account, attach a copy of that document (**NOT** the original).

**I declare (check all that apply):**

- ☐ As a result of the event(s) described in the ID Theft Affidavit, the following account(s) was/were opened at your company in my name without my knowledge, permission or authorization using my personal information or identifying documents:

<b>Creditor Name/Address</b> <i>(the company that opened the account or provided the goods or services)</i>	<b>Account Number</b>	<b>Type of unauthorized credit/goods/services provided by creditor</b> <i>(if known)</i>	<b>Date issued or opened</b> <i>(if known)</i>	<b>Amount/Value provided</b> <i>(the amount charged or the cost of the goods/services)</i>
Example Example National Bank 22 Main Street Columbus, Ohio 22722	01234567-89	auto loan	01/05/2000	\$25,500.00

- ☐ During the time of the accounts described above, I had the following account open with your company:

Billing name \_\_\_\_\_

Billing address \_\_\_\_\_

Account number \_\_\_\_\_

This kit was compiled by the Office of the Kentucky Attorney General with the assistance of materials from other state attorneys general and the federal government.

For more information contact:

Office of the Attorney General  
Consumer Protection Division  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601

(502) 696-5389  
Toll Free: 1-888-432-9257  
Online: [www.ag.ky.gov](http://www.ag.ky.gov)

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